

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
ORANGEBURG DIVISION

Andrew Hayes,

Plaintiff,

v.

St. Matthews Police Department and  
Michael Smalls, Jr., individually,

Defendants.

C.A. No. 5:15-cv-4486-JMC

**DEFENDANTS' RESPONSES TO  
COURT ORDERED  
INTERROGATORIES**

(Local Rule 26.01, D.S.C.)

Defendants answer the Court's required interrogatories as follows:

1. **State the full name, address, and telephone number of all persons or legal entities who may have a subrogation interest in each claim and state the basis and extent of said interest.**

**Response:** Defendants are aware of no such person or entity.

2. **As to each claim, state whether it should be tried jury or nonjury and why.**

**Response:** Were Plaintiff's claims legally and factually viable – and they are not – they would be triable to a jury as requested in his Complaint.

3. **State whether the party submitting these responses is a publicly-owned company and separately identify: (1) any parent corporation and any publicly-held corporation owning ten percent (10%) or more of the party's stock: (2) each publicly-owned company of which it is a parent and (3) each publicly-owned company in which the party owns ten percent (10%) or more of the outstanding shares.**

**Response:** Defendants are a town and its police chief.

4. **State the basis for asserting the claim in the division in which it was filed (or the basis of any challenge to the appropriateness of the division). See Local Civil Rule 3.01.**

**Response:** Defendants do not challenge venue in the Orangeburg Division.

5. **Is this action related in whole or in part to any other matter filed in this district, whether civil or criminal? If so, provide: (1) a short caption and the full case number of the related action; (2) an explanation of how the matters are related; and (3) a statement of the status of the related action. Counsel should disclose any cases that may be related regardless of whether they are still pending. Whether cases are related such that they should be assigned to a single judge will be determined by the Clerk of Court based on a determination of whether the cases: arise from the same or identical transactions, happenings, or events; involve the identical parties or property; or for any other reason would entail substantial duplication of labor if heard by different judges.**

**Response:** Defendants are aware of no related matters filed in this district.

6. **If the defendant is improperly identified, give the proper identification and state whether counsel will accept service of an amended summons and pleading reflecting the correct identification.**

**Response:** The Town of St. Matthews is incorrectly identified as “St. Matthews Police Department.” Further, the Town was not served with the lawsuit, which was served only on its police chief.

7. **If you contend that some other person or legal entity is, in whole or in part, liable to you or the party asserting a claim against you in this matter, identify such person or entity and describe the basis of said liability.**

**Response:** Defendants are aware of no such persons or entities.

Columbia, South Carolina

November 30, 2015

s/ Christopher W. Johnson  
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